

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3336

IN THE MATTER OF:

Served May 11, 1989

Application of DYNAMIC CONCEPTS,)
INC., for Special Authorization to)
Perform Charter Operations Pursuant)
to Contract with U.S. Department of)
the Interior, Minerals Management)
Service)

Case No. CP-89-01

By application filed May 10, 1989, Dynamic Concepts, Inc. (applicant or DCI), seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under a contract with the U.S. Department of the Interior, Minerals Management Service (MMS) transporting government employees and persons traveling on official business with MMS together with mail, express, and baggage in scheduled operations between the Atrium Building, located at 381 Elden Street, Herndon, VA, and the Department of the Interior Building, located on C Street between 18th and 19th Streets, N.W., Washington, DC.

The contract is based upon MMS's requirements for the period May 15, 1989, through September 30, 1989, with four one-year options to renew through September 30, 1993. By letter dated May 10, 1989, MMS has exercised its option, subject to Congressional appropriation and availability of funds, for option year one through September 30, 1990, thus affording DCI the minimum 181 days required for the filing of this application pursuant to Commission Regulation No. 70-05.

The agreement requires the performance of daily passenger shuttle service each government workday between 7:10 a.m. and 6:00 p.m. DCI is required to provide two vehicles, 1988 model year or later, each seating at least thirteen passengers in addition to the driver. The application lists six vehicles, at least four of which may meet the contract requirements. However, DCI has not identified the vehicles to be used in the proposed service and will be directed to do so.

DCI is a District of Columbia Corporation that currently holds other Special Authorizations issued by this Commission. Applicant plans continued compliance with the Compact and this Commission's rules and regulations. DCI has not been found unfit by any regulatory agency and is not presently the subject of any fitness investigation.

DCI's balance sheet as of December 31, 1988, lists total assets of \$1,820,196, including current assets of \$1,661,548, fixed assets (after depreciation) of \$150,898, and other assets of \$15,500. Current liabilities are \$1,424,916; long-term liabilities are \$16,160; and

equity is \$379,120. For the year ended December 31, 1988, DCI had net income of \$237,686 on revenue of \$6,290,168, resulting in total retained earnings of \$363,443. The contract shows revenues of \$181,024 for the eighteen months ending September 30, 1990. However, no statement of revenue deductions was submitted, and there were not eighteen months remaining to September 30, 1990, by the time this application was filed. Accordingly DCI will be directed to file a projection of revenue deductions for the proposed service.

The contracting officer for MMS submitted a notarized letter stating that about 500 persons will use the service. The contracting officer further states that DCI's qualifications have been researched, and it has been determined by MMS to be responsible and able to fulfill the contract successfully.

Inasmuch as there is a contract with the government for the transportation of government employees and persons traveling on official business with the government for a period in excess of 181 days, this application appears to be amenable to processing under Commission Regulation No. 70. See Order No. 2004, served June 20, 1979, and effective July 21, 1979. Pursuant to Commission Regulation No. 70-06, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn, and notarized and must contain all evidence and argument upon which the protestant would rely.

THEREFORE, IT IS ORDERED:

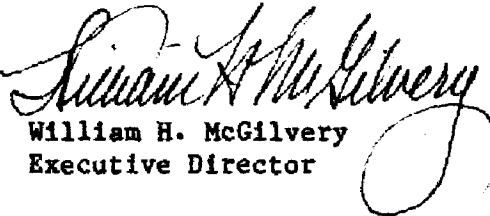
1. That Dynamic Concepts, Inc., publish once in a newspaper of general circulation in the Metropolitan District, notice of this application in the form prescribed by the staff of the Commission, no later than Monday, May 15, 1989.

2. That Dynamic Concepts, Inc., file with the Commission no later than Thursday, May 25, 1989, the following: (a) an affidavit of publication of notice; (b) a list of the vehicles to be used in the proposed service, including year of manufacture, seating capacity, make, model, serial number, license plate number, and jurisdiction of registration; (c) evidence that each of the vehicles has been inspected by the jurisdiction of registration; (d) a certificate of insurance in accordance with Commission Regulation No. 62; (e) an affidavit that each of the vehicles has been identified in accordance with Commission Regulation No. 67; (f) leases covering any of those vehicles not owned by applicant, pursuant to Commission Regulation No. 69; and (g) a statement of revenue and revenue deductions for the proposed operations through September 30, 1990.

3. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Washington Metropolitan Area Transit Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Thursday, May 25, 1989, and shall simultaneously serve a

copy of such protest on applicant's attorney, Edward Hayes, Jr., Esquire, Baker & Hostetler, 1050 Connecticut Avenue, N.W., Washington, DC 20036.

FOR THE COMMISSION:


William H. McGilvery
Executive Director

